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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

ENCORE ACCEPTANCE I, LLC,

Debtor.

Case No. 14-13698-abl
Chapter 11

(Jointly Administered under 14-13698-abl)

In re

ENCORE SERVICE CORPORATION, LLC,

Debtor.

Case No. 14-13699-abl
Chapter 11

(This filing pertains to Case No. 14-13698-abl)

**PRELIMINARY OBJECTION OF THE
 CHIPPEWA CREE TRIBE OF THE
 ROCKY BOY'S RESERVATION,
 MONTANA, PLAIN GREEN, LLC, AND
 FIRST AMERICAN CAPITAL
 RESOURCES, LLC TO DEBTOR'S
 MOTION FOR ENTRY OF AN ORDER
 APPROVING THE DEBTOR'S
 DISCLOSURE STATEMENT DATED
 SEPTEMBER 30, 2014 AND RELATED
 PROCEDURES**

Hearing Date: November 26, 2014**Hearing Time: 1:30 p.m.**

The Chippewa Cree Tribe of the Rocky Boy's Reservation, Montana ("Chippewa Cree"),
 Plain Green, LLC ("Plain Green") and First American Capital Resources, LLC ("FACR" and

Snell & Wilmer

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1 together with Chippewa Cree and Plain Green, the “Objectors”), objects on a preliminary basis
2 (the “Preliminary Objection”) to the *Debtor’s Motion for Entry of an Order Approving the*
3 *Debtor’s Disclosure Statement Dated September 30, 2014 and Related Procedures* (the
4 “Disclosure Statement Motion”) [Docket No. 61], filed in the bankruptcy case of Encore
5 Acceptance I, LLC (“Encore Acceptance” or the “Debtor”), and in support states as follows:

6 1. On September 30, 2014, Encore Acceptance filed the Disclosure Statement
7 Motion, by which it seeks approval of *Debtor Encore Acceptance I, LLC’s Disclosure Statement*
8 *Dated September 30, 2014* (the “Disclosure Statement”) [Docket No. 57], and proposed
9 procedures in connection with voting and a confirmation hearing on *Debtor’s Plan of*
10 *Reorganization* (the “Plan” and together with the Disclosure Statement Motion and the Disclosure
11 Statement, the “Plan Documents”) [Docket No. 58].

12 2. The Objectors each hold substantial claims against Encore Acceptance. On
13 September 19, 2014, each of the Objectors filed a proof of claim in this case asserting those
14 claims.

15 3. The Objectors intend to file a more substantive objection (the “Substantive
16 Objection”) to the Plan Documents by the November 12, 2014 objection deadline (the “Objection
17 Deadline”). In connection therewith, and substantially contemporaneously with the filing of this
18 Preliminary Objection, the Objectors will be serving written discovery requests on the Debtor (the
19 “Debtor Written Discovery Requests”) pursuant to Federal Rule of Bankruptcy Procedure 7026
20 related to, among other things, Encore Acceptance’s purported assets, its scheduled claims, its
21 pre-petition and post-petition activities, transfers and collections, its affiliated entities and its
22 principals and/or owners, the conduct of its business affairs and its business decisions, its Plan,
23 and the nature, extent and accuracy of the disclosures made in the Disclosure Statement. After
24 serving the Debtor Written Discovery Requests, the Objectors may seek and take further
25 discovery from the Debtor (including deposition testimony) and certain insiders of the Debtor, as
26 well as third parties. Objectors maintain that the evidence obtained in discovery will support their
27 objection to the Disclosure Statement Motion in that, among other things: (i) such Disclosure
28

Statement is inadequate as a matter law; (ii) the Debtor's Plan cannot and should not, for a variety of reasons, be confirmed (and the Debtor's bankruptcy case should therefore be converted to a case under chapter 7 of the Bankruptcy Code); and (iii) the Debtor's bankruptcy case was not filed in good faith (and, therefore, should likewise be converted to Chapter 7).

4. The Objectors anticipate that evidence obtained in discovery in this matter will further support their Substantive Objection to the Disclosure Statement Motion. The Objectors intend to file the Substantive Objection on or before the Objection Deadline, and while discovery in this matter will most likely still be in progress. The Objectors therefore reserve all rights and arguments with respect to the Disclosure Statement Motion and other Plan Documents, including their right to present evidence (and any legal arguments arising from such evidence) obtained in discovery after the Objection Deadline but prior to the hearing on the Disclosure Statement Motion.

DATED this 9th day of October, 2014.

SNELL & WILMER L.L.P.

By: /s/ Robert R. Kinas
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